



CITY OF  
**West Linn**

## **Memorandum**

**Date:** June 7, 2013

**To:** John Kovash, Mayor  
Members, West Linn City Council

**From:** Chris Jordan, City Manager 

**Subject:** Revised Agenda Items for June 17 Meeting

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Based on direction from the Council at the June 3 work session, staff is making the following changes to the June 17 agenda:

- 1) Added four resolutions placing Charter amendments on the September 17 ballot.
- 2) Prepared the attached proposed amendments to the Budget Resolution and to the Master Fee Schedule based on the direction that the Street Maintenance Fee, Sewer, and Storm Water Fees will not be increased until the Council receives additional information.
- 3) Are preparing a clean version of the miscellaneous amendments to the Community Development Code reflecting Council's input. This will be provided to the Council next week.

Please let me know if you have any questions.

Attachment



# CITY OF West Linn

22500 Salamo Road  
West Linn, Oregon 97068  
<http://westlinnoregon.gov>

## Revised CITY COUNCIL MEETING

Monday, June 17, 2013

6:00 p.m. – Pre-Meeting Work Session – Rosemont Room

6:30 p.m. – Meeting - Council Chambers

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1. Call to Order & Pledge of Allegiance
2. Approval of Agenda
3. Consent Agenda
  1. Agenda Bill 2013-06-17-01: Approve April 8, May 13 and May 20, 2013, Meeting Notes
  2. Agenda Bill 2013-06-17-02: Joint Funding Agreement United States Geological Survey (USGS) Pesticide Monitor Study
  3. Agenda Bill 2013-06-17-03: City of Milwaukie Professional Management Services Intergovernmental Agreement
4. Community Comments
5. Report from the City Manager
6. Business from the City Council
7. Business Meeting
  1. Agenda Bill 2013-06-17-04: Budget Actions **\*Public Hearings\***
    - i. Resolution 2013-04, Electing to Receive State Revenue Sharing Funds
    - ii. Resolution 2013-05, State Shared Revenue Certification
    - iii. Resolution 2013-06, Approve Master Fees Schedule
    - iv. Resolution 2013-07, Approve Supplemental Budget
    - v. Resolution 2013-08, Approve 2014-2015 Biennial Budget
  2. Agenda Bill 2013-06-17-05: Approve Community Grant Requests
  3. Agenda Bill 2013-06-17-06: Adopt Miscellaneous Community Development Code Amendments **\* Public Hearing\***
  4. Agenda Bill 2013-06-17-07: Resolution 2013-03, American Federation of State, County, and Municipal Employees Union Contract
  5. Agenda Bill 2013-06-17-08: Police Station Contract Award
  6. Agenda Bill 2013-06-17-09: 2013 Road Improvement Program Contract Award

7. Agenda Bill 2013-06-17-10: Charter Amendments
  - i. Resolution 2013-09, Annexation Charter Amendment
  - ii. Resolution 2013-10, City Attorney Charter Amendment
  - iii. Resolution 2013-11, Personnel and Contracting Decisions Charter Amendment
  - iv. Resolution 2013-12, City Election Vacancies Charter Amendment

## 8. Adjourn

### Meeting Notes:

*The Council Chambers is equipped with an induction loop and a limited number of neck loops for the hearing impaired. Please let the City know if you require any special assistance under the Americans with Disabilities Act, please call City Hall 48 hours prior to the meeting date, 503-657-0331.*

*Community Comments provide an opportunity for statements from citizens regarding issues related to City government, properly the subject of Council/Commission consideration and not issues on the agenda. Persons wishing to speak shall be allowed to do so only after completing forms provided in the foyer in advance of Community Comments. All remarks should be addressed to the governing body. The City Council/Planning Commission will not engage in discussion with those making comments. The time limit for each participant is three (3) minutes or will be set by the Mayor or Chair.*

*Consent Agenda items are routine and will not be allotted individual hearing time. The items may be passed in one blanket motion. Any member may remove an item for discussion or questions by requesting such action prior to consideration.*

*Persons wishing to speak on agenda items shall be allowed to do so only after completing the forms provided in the foyer and returning them to the Clerk prior to the item being called for discussion. A separate slip must be turned in for each item. The time limit for each participant is three (3) minutes, unless the Mayor decides prior to the item to allocate more or less time.*

*When needed, the Council will meet in Executive Session pursuant to ORS 192.660.*

*Please help us to accommodate citizens who are chemically sensitive to fragrances and other scented products. Thank you for not wearing perfume, aftershave, scented hand lotion, fragranced hair products, and/or similar products.*



## AGENDA BILL 2013-06-17-10

**Subject:** To submit the Charter Amendments requested by Council to a vote.

**For Council:** June 17, 2013

**Land Use Case Number:** N/A

### Public Hearing

**Required:** ☐

**Optional:** ☒

**City Manager's Initials:** *--CJ--*

### Attachments:

1. Resolution 2013-09 submitting a Charter amendment to voters to require all annexations to be approved by voters.
2. Resolution 2013-10 submitting a Charter amendment to voters to add the City Attorney as a Charter officer.
3. Resolution 2013-11 submitting a Charter amendment to voters to prohibit Council from influencing decisions related to personnel and public contracting.
4. Resolution 2013-12 submitting a Charter amendment to voters to allow elections for vacant positions to be held during May and November elections.

### Initiated by:

- City Council

### Budget Impact:

- Savings of around \$10,000 per election when allowed to put vacant positions on the May or November ballots rather than being required to hold special elections.

### Sustainability Considerations:

- None

### Policy Question(s) for Council Consideration:

- Does Council wish to direct Staff to put the Charter Amendments they requested on the September 17, 2013, ballot?

### Summary:

The resolutions requested by Council will alleviate conflicting language in the Charter; add the City Attorney as a Charter officer; prohibit Council from interfering with personnel decisions and public contracting; and save around \$10,000 when vacant elected positions are allowed to be put on the May and November elections.

### Staff Recommendation:

Staff recommends that the City Council moves to approve the various resolutions attached putting the Charter Amendments on the September 17, 2013, ballot.

**RESOLUTION NO. 2013-09**

**A RESOLUTION SUBMITTING A CHARTER AMENDMENT TO VOTERS  
TO REQUIRE ALL ANNEXATIONS TO BE APPROVED BY VOTERS**

**WHEREAS**, the Charter requires voter approval for the annexation of land outside the Metropolitan Service District Urban Growth Boundary; and

**WHEREAS**, the Charter also specifies that all land proposed for annexation requires approval by the majority of the City's voter; and

**WHEREAS**, Council would like to simplify the annexation section by requiring all annexations other than those mandated by law to be approved by the City's voters.

**NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:**

**SECTION 1:** An election is called for the City of West Linn, Clackamas County, Oregon, for the purpose of submitting the following question to the legal voters of the City: Shall the City amend the City Charter to require all annexations to be approved by the City's voters?

**SECTION 2:** Tuesday, September 17, 2013, is designated as the date for holding the election for the purpose of voting on the charter amendment. The precinct for the election shall be all of the territory within the corporate limits of the City of West Linn, and the election will be conducted by the Clackamas County Elections Department by mail.

**SECTION 3:** The City Elections Officer is directed to publish notice of receipt of the ballot title in the West Linn Tidings or The Oregonian in compliance with ORS 250.275(5).

**SECTION 4:** The City Elections Officer shall file the ballot title with the county clerk as required by ORS 254.095 and include the proposed measure in the statement of city measures to be voted on.

**SECTION 5:** City staff is directed to prepare an Explanatory Statement for the measure and submit it for inclusion in the voters' pamphlet as provided in ORS 251.345.

**SECTION 6:** The ballot title to appear on the ballots shall be:

**CAPTION**

Charter amendment requiring all annexations to be approved by voters.

QUESTION

Shall the City amend the City Charter to require all annexations to be approved by the City's voters?

SUMMARY

The Charter requires voter approval for the annexation of land outside the Metropolitan Service District Urban Growth Boundary. The Charter also specifies that all land proposed for annexation requires approval by the majority of the City's voters. The proposed charter amendment makes it clear that all annexations have to be approved by the City's voters, except for annexations mandated by law.

This resolution was PASSED and ADOPTED this 17th day of June 2013, and takes effect upon passage.

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JOHN KOVASH, MAYOR

ATTEST:

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KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

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CITY ATTORNEY

**ATTACHMENT A**  
**Proposed Charter Amendments**

Annotated to show ~~deletions~~ and additions to the code sections being modified. Deletions are ~~**bold lined through**~~ and additions are **bold underlined**. These annotations will not appear in the voters' pamphlet.

- 1. Amendment.** With passage of the measure, the City of West Linn Charter Section 3 [Boundaries & Annexations] would be amended to read as follows:

**Section 3. Boundaries & Annexations.**

Unless mandated by state, the City of West Linn shall not annex any territory, by delayed annexation or otherwise, without the approval of a majority vote among the City's electorate.

~~As to annexations initiated after May 19, 1998, unless mandated by state law or the land is needed for public facilities, the City shall not initiate or support an annexation, delayed or otherwise, of land that was outside the Metropolitan Service District Urban Growth Boundary as of May 19, 1998, without first obtaining approval of the voters of West Linn in an election. Public facilities include but are not limited to schools, senior centers, roads, police and fire stations, parks, swim centers, and public water, sewer and storm drainage facilities.~~ (Amended 5-19-98 [effective 6-18-98 – Ordinance 1419])

At least two copies of this Charter and an accurate, up-to-date description of City boundaries shall be kept at City Hall. The copies and descriptions shall be available for public inspection at any time during regular office hours of the City Hall.

**RESOLUTION NO. 2013-10**

**A RESOLUTION SUBMITTING A CHARTER AMENDMENT TO VOTERS  
TO ADD THE CITY ATTORNEY AS A CHARTER OFFICER**

**WHEREAS**, the City of West Linn currently utilizes city attorney services; and

**WHEREAS**, the city attorney is selected by a majority of the Council and reports to the Council; and

**WHEREAS**, the Council would like to propose an amendment to the City Charter to make the city attorney a charter officer; and

**WHEREAS**, a vote of the citizenry is required to amend the City Charter.

**NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:**

**SECTION 1:** An election is called for the City of West Linn, Clackamas County, Oregon, for the purpose of submitting the following question to the legal voters of the City: Shall the City amend the City Charter to include the process for appointing and removing the city attorney?

**SECTION 2:** Tuesday, September 17, 2013, is designated as the date for holding the election for the purpose of voting on the charter amendment. The precinct for the election shall be all of the territory within the corporate limits of the City of West Linn, and the election will be conducted by the Clackamas County Elections Department by mail.

**SECTION 3:** The City Elections Officer is directed to publish notice of receipt of the ballot title in the West Linn Tidings or The Oregonian in compliance with ORS 250.275(5).

**SECTION 4:** The City Elections Officer shall file the ballot title with the county clerk as required by ORS 254.095 and include the proposed measure in the statement of city measures to be voted on.

**SECTION 5:** City staff is directed to prepare an Explanatory Statement for the measure and submit it for inclusion in the voters' pamphlet as provided in ORS 251.345.

**SECTION 6:** The ballot title to appear on the ballots shall be:

**CAPTION**

Charter amendment establishing process for appointing and removing city attorney.



QUESTION

Shall the City amend the City Charter to include the process for appointing and removing the city attorney?

SUMMARY

The City Council currently hires a city attorney to represent the City in legal matters. The city attorney is appointed and removed by the Council; therefore, the city attorney reports directly to the City Council. This addition to the Charter recognizes the City's current practice.

This resolution was PASSED and ADOPTED this 17th day of June 2013, and takes effect upon passage.

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JOHN KOVASH, MAYOR

ATTEST:

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KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

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CITY ATTORNEY

**ATTACHMENT A**  
**Proposed Charter Amendment**

Annotated to show ~~deletions~~ and additions to the code sections being modified. Deletions are ~~bold lined through~~ and additions are **bold underlined**. These annotations will not appear in the voters' pamphlet.

- 1. New Section.** With passage of the measure, the City of West Linn Charter Section 23A [City Attorney] would be added to read as follows:

**Section 23A. City Attorney.**

**The office of city attorney is established as the chief legal officer of the City. The city attorney shall be appointed and removed by a majority of all incumbent members of the Council.**

- 2. Amendment.** With passage of the measure, the City of West Linn Charter Section 8 [Councilors] would be amended to read as follows:

**Section 8. Councilors.**

(a) For the 2002 general election and subsequent general elections in even numbered years, the ballot shall include a single list of candidates for council seats. Electors may vote for up to the same number of candidates as there are seats open. The candidates receiving the greatest number of votes shall be elected to fill open seats for expired terms. (Amended 11-07-00)

(b) At the general election in 2008 and every even-numbered year thereafter, two Councilors shall be elected. (Amended 05-20-08)

(c) At the general election in 2006, the ballot shall include a single list of candidates for the four Councilor seats. The Councilor candidates receiving the largest and second-largest number of votes in the 2006 elections shall be elected as Councilors for four-year terms. The Councilor candidates receiving the third- and fourth-largest number of votes in the 2006 election shall be elected to two-year terms. Electors may vote for up to four Council candidates in the 2006 election. At each general election in even-numbered years after 2006, the ballot shall include a single list of candidates for the two Councilor seats that will become vacant due to term expiration. In general elections after 2006, the Councilor candidates receiving the largest and second-largest number of votes shall be elected for four-year terms, and electors may vote for up to two Council candidates. (Repealed 11-04-97; amended 11-07-00; amended 05-16-06)

(d) [Deleted 11-07-00; NOTE: This pertained to official position numbers.]

(e) [Deleted 05-16-06; NOTE: This pertained to Council liaisons to City departments.]

~~(f) The Council may retain legal advisors as it deems prudent. The legal advisors shall report to and serve at the discretion of the Council.~~

## **RESOLUTION NO. 2013-11**

### **A RESOLUTION SUBMITTING A CHARTER AMENDMENT TO VOTERS TO PROHIBIT THE CITY COUNCIL FROM INFLUENCING DECISIONS RELATED TO PERSONNEL AND PUBLIC CONTRACTING**

**WHEREAS**, the Charter establishes the duties of the City Council and the City Manager;  
and

**WHEREAS**, the Charter specifies that the City Council has authority to appoint and  
remove the City Manager; and

**WHEREAS**, the Charter specifies that the City Manager has the duty to appoint, remove,  
and supervise city officers and employees; and

**WHEREAS**, the Council desires to make it clear that it will not interfere with the City  
Manager's duty to appoint and remove city officers and employees or award public  
contracts.

#### **NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:**

**SECTION 1:** An election is called for the City of West Linn, Clackamas County, Oregon,  
for the purpose of submitting the following question to the legal voters of the City: Shall  
the City amend the City Charter to prohibit the Council from interfering with personnel  
decisions and public contract awards?

**SECTION 2:** Tuesday, September 17, 2013, is designated as the date for holding the  
election for the purpose of voting on the charter amendment. The precinct for the  
election shall be all of the territory within the corporate limits of the City of West Linn,  
and the election will be conducted by the Clackamas County Elections Department by  
mail.

**SECTION 3:** The City Elections Officer is directed to publish notice of receipt of the  
ballot title in the West Linn Tidings or The Oregonian in compliance with ORS  
250.275(5).

**SECTION 4:** The City Elections Officer shall file the ballot title with the county clerk as  
required by ORS 254.095 and include the proposed measure in the statement of city  
measures to be voted on.

**SECTION 5:** City staff is directed to prepare an Explanatory Statement for the measure  
and submit it for inclusion in the voters' pamphlet as provided in ORS 251.345.

**SECTION 6:** The ballot title to appear on the ballots shall be:

CAPTION

Charter amendment to prohibit interference with personnel and public contracts.

QUESTION

Shall the City amend the City Charter to prohibit the Council from interfering with personnel decisions and public contract awards?

SUMMARY

The Charter establishes the duties of the City Council and the City Manager. The Charter specifies that the City Council has authority to appoint and remove the City Manager. The Charter specifies that the City Manager has the duty to appoint, remove, and supervise city officers and employees. This amendment makes it clear that the Council will not interfere with the City Manager's duty to appoint and remove city officers and employees or award public contracts. (76 words)

This resolution was PASSED and ADOPTED this 17th day of June 2013, and takes effect upon passage.

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JOHN KOVASH, MAYOR

ATTEST:

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KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

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CITY ATTORNEY

**ATTACHMENT A**  
**Proposed Charter Amendment**

Annotated to show <del>deletions</del> and <u>additions</u> to the code sections being modified. Deletions are <del><b>bold lined through</b></del> and additions are <u><b>bold underlined</b></u> . These annotations will not appear in the voters' pamphlet.
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**New Section.** With passage of the measure, the City of West Linn Charter Section 21A [No Interference with Personnel or Public Contracting] would be added to read as follows:

**Section 21A. No Interference with Personnel or Public Contracting.**

**No City Council member may directly or indirectly, by suggestion, or otherwise, attempt to interfere, influence, or coerce the City Manager in the award of a public contract or any personnel decision.**

## **RESOLUTION NO. 2013-12**

### **A RESOLUTION SUBMITTING A CHARTER AMENDMENT TO VOTERS TO ALLOW ELECTIONS FOR VACANT POSITIONS TO BE HELD DURING MAY AND NOVEMBER ELECTIONS**

**WHEREAS**, the Charter describes the process for filling vacancies of elective officers; and

**WHEREAS**, the Charter currently requires vacancies that have one or more years left in the term to be filled at the next special election; and

**WHEREAS**, filling vacancies at a special election can result in confusion when it is followed shortly thereafter by a general election; and

**WHEREAS**, the City will be able to save money in even numbered years by allowing vacancies to be filled at primary and general elections instead of paying for special elections; and

**WHEREAS**, voter turnout is greater for May and November elections.

#### **NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:**

**SECTION 1:** An election is called for the City of West Linn, Clackamas County, Oregon, for the purpose of submitting the following question to the legal voters of the City: Shall the City amend the City Charter to allow vacancies to be filled at the next May or November election?

**SECTION 2:** Tuesday, September 17, 2013, is designated as the date for holding the election for the purpose of voting on the charter amendment. The precinct for the election shall be all of the territory within the corporate limits of the City of West Linn, and the election will be conducted by the Clackamas County Elections Department by mail.

**SECTION 3:** The City Elections Officer is directed to publish notice of receipt of the ballot title in the West Linn Tidings or The Oregonian in compliance with ORS 250.275(5).

**SECTION 4:** The City Elections Officer shall file the ballot title with the county clerk as required by ORS 254.095 and include the proposed measure in the statement of city measures to be voted on.

**SECTION 5:** City staff is directed to prepare an Explanatory Statement for the measure and submit it for inclusion in the voters' pamphlet as provided in ORS 251.345.

**SECTION 6:** The ballot title to appear on the ballots shall be:

**CAPTION**

Charter amendment to fill vacancies at May and November elections.

**QUESTION**

Shall the City amend the City Charter allow vacancies to be filled at May and November elections?

**SUMMARY**

The Charter provides the process for filling vacancies of the Mayor, Council, and Municipal Judge. The Charter currently requires vacancies that have one or more years left in the term to be filled at the next special election; special elections are held each year in March and September. The City is required to pay the cost of all special elections and May and November elections in odd numbered years. Filling vacancies at special elections, and requiring candidates to run for an expired term during November elections in even numbered years, can result in two elections for city positions within two months of each other in even numbered years. The proposed amendment would result in all elections being held in either May or November.

This resolution was PASSED and ADOPTED this 17th day of June 2013, and takes effect upon passage.

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JOHN KOVASH, MAYOR

ATTEST:

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KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

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CITY ATTORNEY

**ATTACHMENT A**  
**Proposed Charter Amendments**

Annotated to show ~~deletions~~ and additions to the code sections being modified. Deletions are ~~bold lined through~~ and additions are bold underlined. These annotations will not appear in the voters' pamphlet.

- 1. Amendment.** With passage of the measure, the City of West Linn Charter Section 24 [Municipal Judge] would be amended to read as follows:

**Section 24. Municipal Judge.**

(a) The Municipal Judge shall be elected for a term of four years and shall be a judicial officer of the City. The Municipal Judge holding office at the time of adoption of this Charter shall hold his or her office for the balance of the term for which he or she was elected or appointed and until his or her successor is elected and qualified. The Municipal Judge shall be a member of good standing of the Oregon State Bar during his or her entire term of office. Disbarment shall be a basis for removal from office by the Council. Should the office be vacant:

- (1) If less than one year remains in the term of the person who held that vacant office, the vacancy shall be filled by appointment by a majority vote of the Council members. The appointee shall serve the remainder of the unexpired term.
- (2) If one or more years remain in the term of the person who held that vacant office, the vacancy shall be filled at ~~a special election at~~ the next available May or November election date. The person elected shall serve the remainder of the unexpired term. A majority of the Council members shall fill the vacancy by appointment for an interim period until a special election may be held to fill the remainder of the unexpired term.

- 2. Amendment.** With passage of the measure, the City of West Linn Charter Section 31 [Vacancies:Filling] would be amended to read as follows:

**Section 31. Vacancies: Filling.**

(a) If less than one year remains in the term of the person who held that vacant office, the vacancy shall be filled by appointment by a majority vote of the remaining Council members. The appointee shall serve the remainder of the unexpired term.

(b) If one or more years remain in the term of the person who held that vacant office, the vacancy shall be filled at ~~a special election at~~ the next available May or November election date. The person elected shall serve the remainder of the unexpired term. A majority of the remaining Council members shall fill the vacancy by appointment for an interim period until a special election may be held to fill the remainder of the unexpired term.



### Total of All Funds - City of West Linn Biennial Budget

(Amounts in Thousands: \$87 = \$87,000)

	Actual FY 2010	Actual FY 2011	BN 2013				BN 2015		
			Actual FY 2012	Estimate FY 2013	Total	Budget BN 2013	Approved Biennial Budget		
							FY 2014	FY 2015	Total
<b>Resources</b>									
Beginning Fund Balance	\$ 12,962	\$ 13,298	\$ 12,882	\$ 23,671	\$ 12,882	\$ 11,678	\$ 22,538	\$ 12,570	\$ 22,538
Property Taxes	6,603	6,834	6,958	7,490	14,448	14,703	7,727	7,875	15,602
Fees & Charges	11,097	11,491	13,269	12,808	26,077	26,204	13,103	13,550	26,653
Intergovernmental	3,672	4,068	4,785	3,950	8,735	9,018	5,701	4,127	9,828
Fines & Forfeitures	564	520	403	457	860	1,224	471	485	956
Interest	32	20	18	9	27	110	10	10	20
Miscellaneous	506	1,312	620	389	1,009	796	378	386	764
Proceeds from bond issues	-	5,935	8,603	-	8,603	8,603	-	-	-
Transfers from Other Funds	5,355	5,428	5,647	6,034	11,681	12,173	6,510	6,932	13,442
<b>Total Resources</b>	<b>\$ 40,791</b>	<b>\$ 48,906</b>	<b>\$ 53,185</b>	<b>\$ 54,808</b>	<b>\$ 84,322</b>	<b>\$ 84,509</b>	<b>\$ 56,438</b>	<b>\$ 45,935</b>	<b>\$ 89,803</b>
<b>Requirements</b>									
Personnel Services	\$ 12,048	\$ 12,465	\$ 13,073	\$ 13,645	\$ 26,718	\$ 27,848	\$ 14,138	\$ 14,688	\$ 28,826
Materials & Services	5,608	5,754	5,743	6,248	11,991	13,006	7,116	7,136	14,252
Debt Service	1,839	1,638	1,641	2,050	3,691	3,705	2,080	2,114	4,194
Operations before other items	19,495	19,857	20,457	21,943	42,400	44,559	23,334	23,938	47,272
Debt Refunding	-	5,934	-	-	-	-	-	-	-
Transfers to Other Funds	5,355	5,428	5,647	6,034	11,681	11,859	6,510	6,932	13,442
Capital Outlay	2,643	4,805	3,410	4,293	7,703	18,062	14,024	4,730	18,754
Operations, Transfers and Capital	27,493	36,024	29,514	32,270	61,784	74,480	43,868	35,600	79,468
<b>Reserves:</b>									
Contingency	-	-	-	-	-	6,161	5,732	5,675	5,675
Unappropriated Ending Fund Balance	13,298	12,882	23,671	22,538	22,538	3,868	6,838	4,660	4,660
<b>Total Reserves</b>	<b>13,298</b>	<b>12,882</b>	<b>23,671</b>	<b>22,538</b>	<b>22,538</b>	<b>10,029</b>	<b>12,570</b>	<b>10,335</b>	<b>10,335</b>
<b>Total Requirements</b>	<b>\$ 40,791</b>	<b>\$ 48,906</b>	<b>\$ 53,185</b>	<b>\$ 54,808</b>	<b>\$ 84,322</b>	<b>\$ 84,509</b>	<b>\$ 56,438</b>	<b>\$ 45,935</b>	<b>\$ 89,803</b>
Budgeted Positions (in FTEs)	138.03	136.33	132.83	128.83	128.83	132.83	124.33	124.33	124.33
Monthly Operating Costs per Capita	\$82	\$84	\$86	\$92	\$89	\$96	\$98	\$102	\$100

### Streets Fund Summary

(Amounts in Thousands: \$87 = \$87,000)

	Actual FY 2010	Actual FY 2011	BN 2013				BN 2015		
			Actual FY 2012	Estimate FY 2013	Total	Budget BN 2013	Adopted Biennial Budget		
							FY 2014	FY 2015	Total
<b>Resources</b>									
Beginning Fund Balance	\$ 822	\$ 929	\$ 1,291	\$ 1,797	\$ 1,291	\$ 873	\$ 2,067	\$ 1,569	\$ 2,067
Intergovernmental - Gas Tax	1,013	1,204	1,372	1,400	2,772	2,279	1,414	1,428	2,842
Intergovernmental - Grant	147	146	-	-	-	-	-	-	-
<b>Fees &amp; Charges:</b>									
Street Maint Fee as Proposed	778	792	870	902	1,772	1,759	947	994	1,941
+ Option B Approved by Budget Committee							1,000	1,050	2,050
+ Option D Approved by Budget Committee							50	100	150
Street Maint Fee as Adopted							902	902	1,804
Franchise Fees	81	83	113	115	228	252	121	127	248
Franchise Fees (dedicated to Sustainability)	20	20	-	-	-	-	-	-	-
Interest	2	1	-	-	-	8	-	-	-
Miscellaneous	65	329	171	51	222	107	52	53	105
Debt Proceeds	-	-	-	-	-	-	-	-	-
<b>Total Resources</b>	<b>\$ 2,928</b>	<b>\$ 3,504</b>	<b>\$ 3,817</b>	<b>\$ 4,265</b>	<b>\$ 6,285</b>	<b>\$ 5,278</b>	<b>\$ 4,556</b>	<b>\$ 4,079</b>	<b>\$ 7,066</b>
<b>Requirements</b>									
Personnel Services	\$ 410	\$ 453	\$ 490	\$ 519	\$ 1,009	\$ 1,025	\$ 582	\$ 605	\$ 1,187
Materials & Services	488	433	433	518	951	1,020	498	526	1,024
Debt Service - Series 2009	150	151	152	152	304	304	152	152	304
Transfers to Other Funds	671	659	529	550	1,079	1,079	660	683	1,343
<b>Capital Outlay - Street Projects:</b>									
Street Projects as Proposed	280	517	382	287	669	900	993	1,040	2,033
+ Option B Approved by Budget Committee							1,000	1,050	2,050
+ Option D Approved by Budget Committee							50	100	150
Street Projects as Adopted							948	948	1,896
Capital Outlay - Equipment Replacement	-	-	34	172	206	100	147	150	297
	1,999	2,213	2,020	2,198	4,218	4,428	2,987	3,064	6,051
<b>Reserves:</b>									
Contingency	-	-	-	-	-	600	600	600	600
Unappropriated Ending Fund Balance	929	1,291	1,797	2,067	2,067	250	969	415	415
	929	1,291	1,797	2,067	2,067	850	1,569	1,015	1,015
<b>Total Requirements</b>	<b>\$ 2,928</b>	<b>\$ 3,504</b>	<b>\$ 3,817</b>	<b>\$ 4,265</b>	<b>\$ 6,285</b>	<b>\$ 5,278</b>	<b>\$ 4,556</b>	<b>\$ 4,079</b>	<b>\$ 7,066</b>
Budgeted Positions (in FTEs)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Monthly Operating Costs per Capita	\$6	\$6	\$5	\$6	\$6	\$6	\$6	\$6	\$6

**Q: Where does the Street Maintenance Fee revenue go (without Options B & D)?**

(Amounts in Thousands: \$87 = \$87,000)

	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	6 YEAR TOTAL
Beginning balance relating to SMF	\$552	\$968	\$1,039	\$1,207	\$1,467	\$1,069	\$552
SMF revenue collected per year	778	792	870	902	902	902	5,146
% of SMF to State Gas Tax	43%	40%	39%	39%	40%	41%	
<b>SMF spent on:</b>							
Materials & Services	(212)	(172)	(168)	(203)	(200)	(216)	(1,170)
Debt service payments	(150)	(151)	(152)	(152)	(152)	(152)	(909)
Street capital projects	-	(398)	(382)	(287)	(948)	(948)	(2,963)
Total SMF expenditures	(362)	(721)	(702)	(642)	(1,300)	(1,316)	(5,042)
Ending SMF balance carried forward	\$968	\$1,039	\$1,207	\$1,467	\$1,069	\$656	\$656

**RESOLUTION NO. 2013-08**

**A RESOLUTION ADOPTING THE CITY OF WEST LINN BUDGET AND CAPITAL IMPROVEMENT PLAN FOR THE BIENNIUM COMMENCING JULY 1, 2013 (2014-2015 BIENNIUM), MAKING APPROPRIATIONS, LEVYING AD VALOREM TAXES, AND CLASSIFYING THE LEVY PURSUANT TO SECTION 11b, ARTICLE XI OF THE OREGON CONSTITUTION.**

**BE IT RESOLVED** by the City Council of the City of West Linn that:

**Section 1.** The City Council hereby adopts the budget and capital improvement plan approved by the Citizens Budget Committee for the 2014-2015 Biennium in the sum of \$89,803,000 now on file at West Linn City Hall (Finance Department) 22500 Salamo Road, West Linn, Oregon 97068.

**Section 2.** The amounts listed below are hereby appropriated for the biennium beginning July 1, 2013 for the purposes stated.

**GENERAL FUND**

City Council Department	\$ 307,000
City Administration Department	2,054,000
Economic Development Department	634,000
Human Resources Department	868,000
Finance Department	2,014,000
Information Technology Department	2,039,000
City Facilities Department	1,037,000
Municipal Court Department	666,000
Public Works Support Services Department	2,192,000
Vehicle & Equipment Maintenance Department	804,000
Nondepartmental	1,970,000
Contingency	700,000
Total Appropriations	<u>\$ 15,285,000</u>

**PUBLIC SAFETY FUND**

Personal Services	\$ 8,918,000
Materials & Services	1,615,000
Transfers to Other Funds	2,862,000
Capital Outlay	6,537,000
Contingency	820,000
Total Appropriations	<u>\$ 20,752,000</u>

**LIBRARY FUND**

Personal Services	\$ 2,732,000
Materials & Services	441,000
Transfers to Other Funds	1,578,000
Capital Outlay	607,000
Contingency	245,000
Total Appropriations	<u>\$ 5,603,000</u>

**PARKS & RECREATION FUND**

Personal Services	\$ 3,357,000
Materials & Services	1,569,000
Debt Service	76,000
Transfers to Other Funds	1,842,000
Capital Outlay	1,550,000
Contingency	390,000
Total Appropriations	<u>\$ 8,784,000</u>

**PARKS BOND FUND**

Capital Outlay	<u>\$ 131,000</u>
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**BUILDING INSPECTIONS FUND**

Personal Services	\$ 843,000
Materials & Services	93,000
Transfers to Other Funds	619,000
Contingency	50,000
Total Appropriations	<u>\$ 1,605,000</u>

**PLANNING FUND**

Personal Services	\$ 1,157,000
Materials & Services	382,000
Transfers to Other Funds	539,000
Contingency	80,000
Total Appropriations	<u>\$ 2,158,000</u>

**STREETS FUND**

	<i>As Approved</i>	
Personal Services	\$ 1,187,000	\$ 1,187,000
Materials & Services	1,024,000	1,024,000
Debt Service	304,000	304,000
Transfers to Other Funds	1,343,000	1,343,000
Capital Outlay	<del>4,530,000</del>	2,193,000
Contingency	600,000	600,000
Total Appropriations	<u>\$ 8,988,000</u>	<u>\$ 6,651,000</u>

**WATER FUND**

Personal Services	\$ 1,255,000
Materials & Services	3,245,000
Debt Service	304,000
Transfers to Other Funds	1,433,000
Capital Outlay	976,000
Contingency	300,000
Total Appropriations	<u>\$ 7,513,000</u>

**ENVIRONMENTAL SERVICES FUND**

Personal Services	\$ 1,518,000
Materials & Services	752,000
Transfers to Other Funds	2,212,000
Capital Outlay	3,158,000
Contingency	750,000
Total Appropriations	<u>\$ 8,390,000</u>

**SYSTEMS DEVELOPMENT CHARGES FUND**

Materials & Services	\$ 300,000
Transfers to Other Funds	200,000
Capital Outlay	3,349,000
Contingency	1,740,000
Total Appropriations	<u>\$ 5,589,000</u>

**DEBT SERVICE FUND**

Debt Service	\$ 2,682,000
Total Appropriations	<u>\$ 2,682,000</u>

**Summary Totals for All Funds**

Appropriated Expenditures	\$ 79,468,000
Appropriated Contingency	5,675,000
Total Appropriations	85,143,000
Total Unappropriated	<u>4,660,000</u>
<i>TOTAL ADOPTED BUDGET for 2014-2015</i>	<u>\$ 89,803,000</u>

**Section 3.** BE IT RESOLVED that the City Council of the City of West Linn hereby imposes the taxes provided for in the adopted budget at the rate of, for FY 2013-14, \$2.1200 per \$1,000 of assessed value for operations and in the amount of \$1,380,000 for bonds, and for FY 2014-15, \$2.1200 per \$1,000 of assessed value for operations and in the amount of \$1,401,000 for bonds, and that taxes are hereby imposed for FY 2013-14 and FY 2014-15 tax years upon the assessed value of all taxable property; and classified pursuant to the categories and subject to the limits of section 11b, Article XI of the Oregon Constitution as follows:

	<u>FY 2013-14</u>	<u>FY 2014-15</u>
General Operations (permanent rate per \$1,000 AV)	\$2.1200	\$2.1200
Debt Service Fund (excluded from MS limitation)	\$1,380,000	\$1,401,000

**Section 4.** The City Manager or his designee shall certify, file with and give notice to the County Assessors of Clackamas County and the Department of Revenue information as required by the Oregon Revised Statutes.

This resolution was PASSED and ADOPTED this 17th day of June, 2013, and takes effect upon passage.

\_\_\_\_\_  
JOHN KOVASH, MAYOR

ATTEST:

\_\_\_\_\_  
KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Service Definitions:

Dig-in Service: Condition where the City or its agent must physically tap into a main water line to extend water service to the property.

Drop-in Service: An existing condition where a developer of a residential subdivision or commercial complex has installed water services to each serviceable and buildable lot in accordance with City specifications.

2.8. Sanitary Sewer Collection Rates	Effective January 1, 2012		Effective January 1, 2013		Effective January 1, 2014	
	Residential	Commercial	Residential	Commercial	Residential	Commercial
City of West Linn	\$ 14.75	\$ 14.75 plus \$1.42 per CCF over 10 per month	\$ 15.49	\$ 15.49 plus \$1.49 per CCF over 10 per month	\$ 15.49	\$ 15.49 plus \$1.49 per CCF over 10 per month
Tri-City Service District	Effective July 1, 2011		Effective July 1, 2012		Effective July 1, 2013	
	Residential	Commercial	Residential	Commercial	Residential	Commercial
	\$ 13.35	\$ 13.35 plus \$1.34 per CCF over 10 per month	\$ 15.35	\$ 15.35 plus \$1.54 per CCF over 10 per month	<i>tbd</i>	<i>tbd</i> plus \$ <i>tbd</i> per CCF over 10 per month

**No increase at this time**

Tri-City Service District is the separate entity that treats City of West Linn sewage and accordingly, the City passes through their charges to West Linn citizens. These pass-through charges are not determined by the City, but rather by the Tri-City Service District and historically have changed every July 1st, as opposed to January 1st when the City's charges have historically changed.

The above sewer rates for Tri-City Service District are actually stated on a per "Equivalent Dwelling Unit (EDU) basis, which should be based on water consumption". So in converting their EDU rates over to CCFs which are used for billing commercial properties in West Linn, if for residential units, every residence is deemed to have 1 EDU and therefore 1 base fee charge applies, then for commercial property, West Linn has historically (since at least 1999) determined that since 1 EDU = 1 residence = which is also about 10 CCFs. Therefore, for commercial billing purposes in West Linn, bill one of Tri-City's base fee which would include 10 CCFs, as a minimum charge for all commercial properties, and then one-tenth of the same base rate per CCF for water consumption used over 10 CCFs per month.

2.9. Surface Water Management Rates	Effective January 1, 2012		Effective January 1, 2013		Effective January 1, 2014	
	Equivalent Service Units (ESUs)		Equivalent Service Units (ESUs)		Equivalent Service Units (ESUs)	
Monthly charge per ESU	\$ 5.06		\$ 5.31		\$ 5.31	
Single family residential	1 ESU		1 ESU		1 ESU	
Duplex	2 ESU		2 ESU		2 ESU	
Triplex	3 ESU		3 ESU		3 ESU	

**No increase at this time**

Total equivalent service units are based on measured impervious area. The rate for "All Other Improved Premises" shall be computed by dividing the total measured impervious area by 2,914 square feet. The quotient is rounded to the nearest whole number and multiplied by the base equivalent service unit rate.

The City Council determines that the fees imposed upon by this resolution are not taxes subject to the property tax limitations of Article XI, section 11 of the Constitution.

**2.10. Street Permit Fee**

	<u>Permit Fee</u>
Permit per project or contract	\$ 50

Street permit fees are charged on a per project or per contract basis.

**2.11. Roadway Maintenance Fee**  
(or commonly referred to as  
Street Maintenance Fee)

				<b>No increase pending further discussion</b>			
Effective July 1, 2012				Effective July 1, 2013			
Charge per Month				Charge per Month			
Residential:							
Single family residence	\$	5.89	per month	\$	5.89	per month	\$ 5.89 per month
Multi-family residence		5.59	per month		5.59	per month	5.59 per month
Commercial, Public Properties:							
Home-based businesses	\$	5.89	per month	\$	5.89	per month	\$ 5.89 per month
0 to 50 trips		5.89	per month		5.89	per month	5.89 per month
51 to 250 trips		0.66	per trip		0.66	per trip	0.66 per trip
251 to 500 trips		0.79	per trip		0.79	per trip	0.79 per trip
501+ trips		0.90	per trip		0.90	per trip	0.90 per trip
Maximums and Caps:							
Commercial maximum		\$510			\$510		\$510
Commercial yearly increase max		3%			3%		3%
Public institution maximum		\$300			\$300		\$300

A residence is defined by the presence of any size water meter, for the roadway maintenance fee. The system and structure of fees for roadway maintenance can be controlled through the vacancy of a residence and turning off water service to the vacant residence. The City Council determines that the roadway maintenance fees imposed upon residences are not taxes subject to the property tax limitations of Article XI, section 11(b) of the Oregon Constitution.

A multi-family housing unit is defined as a residential structure with multiple dwelling units in the same building that share one water meter. Because multi-family housing units cannot define vacancy based on the absence of water service, a multi-family rate can apply to eligible multi-family housing units. The multi-family housing rate is discounted based on the city-wide vacancy rate as determined by the City of West Linn Planning Department in effect for a one-year period as of July 1 of each fiscal year.

Per trip calculation for business establishments shall be calculated using trip generation rates for various types of development as provided in the Trip Generation Manual of the Institute of Traffic Engineers. Business establishments shall have the opportunity to review and modify data used in the trip calculation

Monthly roadway maintenance fees to the principal residence of low income citizens as defined in this section shall be as follows: low income citizens shall be charged at one-half the regular rate. Any citizen currently receiving the reduced water service charge for low-income citizens shall automatically receive the reduced roadway maintenance fee. Principal residences occupied by a person(s) having an annual income(s) that does not exceed one hundred eighty-five percent (185%) of the most recently published federal poverty low income guidelines (as established by the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).), are eligible for reduced roadway maintenance fees.

**2.12. Park Maintenance Fee**

[refer to Section 6.9 of the Parks Fee and Charges]